

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
JULY 11, 2013**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Imam Maajid Ali of Masjid Jihad, Inc., followed by the Pledge of Allegiance to the Flag.

Mayor Pro-Tem Johnson announced the passing of James Earl Banks, City employee with the Water Treatment and Supply Department since August 2012 who died from a motorcycle accident Wednesday, July 10, 2013. Funeral services will be held Saturday, July 13, 2013. He asked everyone to take a moment of silence for the loss of Mr. Banks.

PRESENT:

Mayor Pro-Tem Van Johnson, II, Presiding
Alderman Tony Thomas, Chairman of Council
Alderman Mary Osborne, Vice-Chairman of Council
Aldermen John Hall and Tom Bordeaux

The following members of Council were absent as they were out of town on business or vacation: Mayor Edna Jackson, Aldermen Carol Bell, Mary Ellen Sprague and Estella Shabazz.

City Manager Stephanie Cutter
City Attorney W. Brooks Stillwell
Assistant City Attorneys William W. Shearouse & Lester B. Johnson, III

MINUTES

Upon motion of Alderman Osborne, seconded by Alderman Thomas and unanimously carried the minutes of the Summary/Final minutes of the City Council Work Session of June 25, 2013, Summary/Final minutes of the City Council Work Session/City Manager's briefing of June 27, 2013, and the City Council Summary/Final Minutes of June 27, 2013.

Mayor Pro-Tem Johnson announced candidates for the Chatham County Youth Commission (CCYC) were the special guests attending Council meeting. These young people are spending the summer learning about their community. He asked all of them to stand and be recognized. He thanked them for their presence and acknowledged the Chairwoman of CCYC Alexis Parker who chaperoned the group at the meeting.

LEGISLATIVE REPORTS

ALCOHOLIC BEVERAGE LICENSE HEARINGS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of these licenses.

Sandra Montgomery for VIR, LLC t/a Victory BP, requesting to transfer a beer and wine (package) license from Saimaa Int. Inc. t/a Victory BP at 1603 E. Victory Drive, which is located between Bee Road and Williams Street in District 3. (Change of ownership) Upon a motion by Alderman Bordeaux, seconded by Alderman Thomas and unanimously carried it was approved per the City Manager's recommendation.

Mayor Pro-Tem Johnson asked Ms. Montgomery to come up and speak. Alderman Osborne said Ms. Montgomery had recently been in a terrible accident and expressed gratitude for her recovery. Alderman Bordeaux asked if his understanding was correct that Ms. Montgomery wanted to have the license to run a package store transferred to her name? Ms. Montgomery stated yes. He asked if she had any previous interest in this business and what it entailed. She stated she has worked at the location for approximately 20 years. Alderman Bordeaux asked who was the former license holder and she clarified that this request was only for a name change to VIR, LLC. He stated he misunderstood and acknowledged the name change request.

Alderman Bordeaux said given she has been managing the operations, did she understand that holding a package store license in Savannah subjects her to certain review by the City to uphold the regulations; and if she doesn't abide by those rules and regulations she could potentially lose the license and therefore the livelihood for herself and perhaps others? Ms. Montgomery stated yes she understood. Alderman Bordeaux also asked if she intended to keep up with those regulations and she responded yes she would do her best. Alderman Bordeaux thanked her for her time. Mayor Pro-Tem Johnson asked if there were any more questions or comments for or against this license and asked for a motion to close the hearing.

Marsha S. Ridder for Hamilton Turner Inn, requesting to transfer a wine (drink) license with Sunday sales at 330 Abercorn Street from James T. Dunlop, which is located between Charlton and Jones Streets in District 2. (Change of ownership/management) Upon a motion by Alderman Thomas, seconded by Alderman Osborne and unanimously carried it was approved per the City Manager's recommendation.

Jim Gerard introduced Marsha Susan Ridder stating she is a managing partner of Savannah Hospitality Ventures which purchased this business approximately two weeks ago. He stated they came up from Turner County for the bed and breakfast at 330 Abercorn Street and Ms. Ridder will be the onsite manager. Before coming to Savannah, Ms. Ridder served as manager of a bed and breakfast in Charleston called the Vendue Inn for about five years. Mr. Gerard stated since the owners discussed retiring, Ms. Ridder and her business partners decided to come to Savannah and take over this bed and breakfast. The only alcohol that will be served on the premises is wine and will be provided to patrons in the parlor during dinner hours; visiting guests will be able to obtain a bottle of wine at their request. The doors of the inn will be secured at all

times, patrons will be given a key and visitors will have to ring a doorbell for access. Mayor Pro-Tem Johnson asked that he identify himself for the record at which time he stated his name was Jim Gerard.

Alderman Bordeaux welcomed Ms. Ridder to Savannah and said he hoped this was a very good and profitable experience for both her and her guests. He stated the Council considers issuing an alcohol license very seriously in Savannah and he just wanted to make sure she understood that and will abide by all the rules and regulations. She responded yes, and Alderman Bordeaux then wished her all the success with her new venture. Alderman Osborne asked Ms. Ridder if someone other than a guest could purchase a bottle of wine. Ms. Ridder stated it was only for the guests. There were no other questions and Mayor Pro-Tem Johnson asked for a motion to close the hearing.

ZONING HEARINGS

Karen Boykin, Owner (13-002391-ZA), requesting to rezone 11903 Middleground Road from R-6 (Single-Family Residential) to R I-P (Residential Institutional-Professional). MPC recommends approval. The proposed zoning is consistent with the Tricentennial Comprehensive Plan Future Land Use Map. Rezoning this site to an I-P classification will allow compatible uses and continuation of a clear development pattern that has been occurring over a number of years. Recommend approval. Upon a motion by Alderman Thomas, seconded by Alderman Hall and unanimously carried to continue the hearing to August 8, 2013.

PETITIONS

Dorian Callen, of Cooper Callen Investment LLC (Property Owner) – Petition 120623, requesting that the City allow encroachment within the Bull Street right-of-way for the installation of an awning. The subject property is located at 100 Bull Street; on the east side of Bull just south of Broughton Street.

This request has been reviewed by Public Works and Water Resources, Sanitation, and Development Services with no objections noted. Approval is subject to the property owner assuming all responsibility for injuries or damages to third parties as a result of the encroachment. All City construction guidelines must be followed, and the awning installation must meet all federal, state and local codes. The petitioner/property owner should be advised that such encroachment grants no ownership rights to the property and that, if ever required, the awning must be removed at the property owner's expense. (Photos are attached.) Recommend approval. Upon a motion by Alderman Thomas, seconded by Alderman Osborne and unanimously carried.

ORDINANCES

First and Second Readings

100 Block of W. Saint Julian Street. An ordinance to convert three parking spaces in the 100 block of W. Saint Julian Street from unrestricted and unlimited use to 30-minute metered parking. (The Traffic Engineering Report was approved June 27, 2013.)

Ordinance read for the first time in Council July 11, 2013, then by unanimous consent of Council read a second time July 11, 2013, placed upon its passage, adopted and approved upon a motion by Alderman Thomas, seconded by Alderman Hall and carried.

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO AMEND APPENDIX I, SECTION 218(c), PARAGRAPH B, OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA (2003) PERTAINING TO SECTION 7-1062 OF SAID CODE TO PROVIDE THAT THIRTY MINUTE PARKING METER ZONES BE ESTABLISHED ON CERTAIN STREETS NAMED HEREIN; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Appendix I, Section 218(c), Paragraph B, of the Code of the City of Savannah, Georgia (2003), pertaining to Section 7-1062 of said Code, as amended, shall be amended by adding thereto the following:

AMEND SECTION 218(c), PARAGRAPH B

On the north side of West Saint Julian Street between Whitaker Street and Drayton Street (three angle spaces).

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: July 11, 2013.

RESOLUTIONS

A RESOLUTION PROVIDING AUTHORIZATION TO ACQUIRE PROPERTY BY CONDEMNATION, AND TO FILE CONDEMNATION PROCEEDINGS INCLUDING A DECLARATION OF TAKING TO ACQUIRE TITLE TO CERTAIN PROPERTY OF COLUMBIA PROPERTIES SAVANNAH, LLC FOR GENERAL MCINTOSH BOULEVARD PROJECT.

RESOLUTION OF

THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

WHEREAS, the City of Savannah has laid out and determined to construct certain road improvements known as General McIntosh Realignment and Improvements and connection of Congress Street to General McIntosh Boulevard, along General McIntosh Boulevard between River Street and President Street within the corporate limits of the City, as a part of the city system of streets and roads more fully shown on a map or maps and drawings on file in the Office of the City Manager, City Hall, Bay Street, Savannah, Georgia; and

WHEREAS, in order to maintain the projected schedule of construction for this facility, it is necessary that right of way for the installation of intersections and realignment of this roadway be acquired without delay; and

WHEREAS, it is necessary that the properties as shown and described in the annexes hereto which are incorporated herein by reference and shown on record as owned by the party named herein are essential for the construction of this project; and

Owner: Columbia Properties Savannah, LLC

Taking: A .02 acre tract known as Parcel B and a .42 acre tract known as Parcel D, LAMAR WARD, 2nd G.M.D., Savannah, Georgia as shown on a map by Wright C. Powers, Jr. Dated August 29, 2011 attached hereto and more particularly described as:

PROPERTY

DESCRIPTION

REQUIRED RIGHT OF

WAY AREA B

ALL that certain parcel or tract of land lying and being in LAMAR WARD, 2nd G.M.D, City of Savannah, Chatham County, Georgia being shown on that certain right of way acquisition plat for portions of the property of Columbia Properties Savannah, LLC, dated August 29, 2011, prepared by Thomas & Hutton Engineering Co., and being more particularly described as follows:

Beginning at a point at the intersection of the northerly right of way line of Harbor Street (80' R/W) and the easterly right of way line of General McIntosh Boulevard (variable R/W); thence

along the aforesaid right of way line of General McIntosh Boulevard N 18° 02' 42" W a distance of 205.54' to a 5/8" iron rebar found; thence leave the aforesaid right of way line General McIntosh Boulevard N 17° 26' 14" E a distance of 6.64' to a 5/8" iron rebar found; thence s 18°02'42" e a distance of 213.63' to an "X" scribed in concrete on the northerly right of way line of Harbor Street (80' RIW); thence along the aforesaid right of way line of Harbor Street N 73° 13' 26" W a distance of 4.70' to the point of beginning, having an area of 808 square feet, 0.02 acre of land.

PROPERTY

DESCRIPTION

REQUIRED RIGHT OF

WAYAREA D

ALL that certain parcel or tract of land lying and being in LAMAR WARD, 2nd G.M.D, City of Savannah, Chatham County, Georgia being shown on that certain right of way acquisition plat for portions of the property of Columbia Properties Savannah, LLC, dated August 29, 2011, prepared by Thomas & Hutton Engineering Co., and being more particularly described as follows:

Beginning at the point of intersection of the southerly right of way line of Harbor Street (80' R/W) and the easterly right of way line of General McIntosh Boulevard (variable R/W); thence along the aforesaid right of way line of Harbor Street S 73° 13' 26" E a distance of 198.66' to an iron pipe found; thence leave the aforesaid right of way line of Harbor Street S 16°59'55" W a distance of 268.05' to an iron pipe found on the easterly right of way line of General McIntosh Boulevard (variable RIW); thence along the aforesaid right of way line of General McIntosh Boulevard N 19°37'26" W a distance of 8.72' to an iron pipe found; thence leave the aforesaid right of way line of General McIntosh Boulevard N 16°59'55" E a distance of 152.75' to an iron pipe set; thence n 28° 16' 20" W a distance of 11.72' to a PK nail set; thence N 73° 13' 26" W a distance of 45.92' to an iron pipe set; thence S 57°35'03" W a distance of 25.16' to a PK nail set; thence S 42° 42' 36" W a distance of 31.45' to an iron pipe set on the easterly right of way line of General McIntosh Boulevard; thence along the aforesaid right of way line of General McIntosh Boulevard N 19° 37' 26" W a distance of 183.04' to the point of beginning, having an area of 18,489 square feet, of 0.42 acre of land.

NOW, THEREFORE, IT IS FOUND BY THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH that the circumstances are such that it is necessary for construction of the realigned and relocated roadway and entrance to Congress Street as shown in the map annexed hereto and particularly described in the attachments to the map, be acquired without delay by condemnation under the provisions of O.C.G.A. § 32-3-6, and the City Manager is directed to proceed to acquire the title, estate, or interest in the properties shown in the attached map and described in the annexes to this Order by condemnation under said code section and the City Attorney or his designee is authorized and directed to file condemnation proceedings, including a declaration of taking to acquire said title, estate or interest and to deposit in Court the sum estimated as just compensation, all in accordance with the Official Code of Georgia Annotated as amended.

RESOLVED AND ORDERED, this 11th day of July, 2013. THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

In connection with the widening and relocation of General McIntosh Boulevard, the City needs to acquire two parcels owned by Columbia Properties Savannah, LLC, being Parcel B containing .02 acres, and Parcel D containing .42 acres of land lying Northeast of the current right of way of General McIntosh Boulevard.

Mayor Pro-Tem Johnson asked W. Brooks Stillwell, City Attorney to provide some background information for this resolution. Mr. Stillwell stated the City is in the final stages of the contract for the President Street and General McIntosh Boulevard Road improvement project, which is a very major undertaking in Savannah. General McIntosh Boulevard and President Street floods regularly and the height of those two roads need to be raised. The intersection at President Street and General McIntosh Boulevard and the one that goes into the Savannah River from the East will both be reconfigured to be right-angled intersections. They will also have traffic lights on them which will dramatically improve the safety and security of people driving in that area. This is also necessary for access to the Savannah River Landing Project as some infrastructures are already in place. The two pieces needed for this condemnation are shown on the plat attached to the agenda. They are very small pieces of property; one is 808 square feet and the other is 18,491 square feet. A few years ago, City staff had discussions with the property owner about buying or swapping properties that the Marriott wanted. It was decided that the City would buy the land with money from the condemnation and the City Attorney and City Manager would handle this venture on behalf of the City. The project contract is currently being rebid, the City expects to have bids within the next month or two and the City Manager should be back with a proposed contract. They are asking for authorization to get this last needed piece of land.

Alderman Johnson asked what “does “gmd” stand for? Mr. Stillwell stated it stands for Georgia Militia District and said it is just an antiquated way of referring or describing land tracts in Chatham County. Alderman Osborne commented that the Public Information Department did an excellent job reporting on this. Upon a motion by Alderman Hall, seconded by Alderman Bordeaux and carried. Alderman Thomas voting against.

MISCELLANEOUS

Motor Coach Stands. The Tourism Advisory Committee (TAC) is recommending the relocation of a motor coach stand and the establishment of a new stand to better manage the tourism industry.

An existing motor coach stand on the south side of W. Oglethorpe Avenue between Bull and Whitaker Streets will be shifted three parking spaces to the west. The change will accommodate Independent Presbyterian Church's request to add a new handicap parking space on the block which will be adjacent to a handicap ramp. The stand will only be used to load and unload passengers, and idling will be prohibited.

To provide an additional motor coach parking option and relieve congestion along Abercorn Street at Colonial Park Cemetery, a new motor coach stand is requested for the 600 block of E. Liberty Street adjacent to the Catholic Diocese Building. The stand will be available from 9:00 a.m. to 6:00 p.m. for a maximum of one hour parking and idling will be prohibited.

These motor coach stands have been approved by the appropriate City departments and Chatham Area Transit Authority. Additionally, impacted property owners to include the Independent Presbyterian Church, Catholic Diocese and Housing Authority of Savannah support these changes. Upon a motion by Alderman Hall, seconded by Alderman Osborne and unanimously carried.

Mayor Pro-Tem Johnson stated that TAC did an analysis and recommended relocation of an existing motor coach stand and establishment of a new stand. The existing stand, on the south side of West Oglethorpe between Bull and Whitaker Streets, is to be shifted three parking spaces to the west. This change will accommodate the Independent Presbyterian Church's request for a handicapped ramp, provides an additional motor coach and the parking option will relieve congestion along Abercorn Street. Everyone has given their blessing – Chatham Area Transit, Independent Presbyterian Church, the Catholic diocese and the Housing Authority of Savannah. Mayor Pro-Tem Johnson stated he spotted Executive Director Earline Wesley Davis and she gave him her thumbs up on this.

BIDS, CONTRACTS AND AGREEMENTS

Upon a motion by Alderman Thomas, seconded by Alderman Bordeaux and unanimously carried, the following bids, contracts and agreements were approved per the City Manager's recommendations

Bucket Truck – Event No. 1493. Approval to procure a bucket truck from Altec Industries in the amount of \$183,535.00. The bucket truck will be utilized by Park and Tree to replace unit 3207 which is no longer economical to operate or repair. Funds are available in the 2013 Budget, Vehicle Purchases/Vehicular Equipment (Account No. 613-9230-51515).

Police Protection Shields – Event No. 1526. Approval to procure police protection shields from U.S. Patriot Tactical in the amount of \$41,644.39. The shields will be used to protect

SWAT Team members during emergency response situations. The protection shields will be used by the Special Operations-SWAT Department.

Playground and Exercise Equipment for Magnolia Park – Sole Source – Event No. 1544.

Approval to award a contract for playground equipment from GameTime c/o of Dominica Recreation Products, Inc. in the amount of \$83,452.92. The playground equipment will be installed at Magnolia Park and includes a stand-alone play structure for ages 2-5, an additional structure for ages 5-12 to be attached to an existing unit, and adult fitness equipment. The costs include the purchase of the equipment with various play and exercise activities, two picnic tables, safety surface, curbing and installation.

Proposals were received from nine proposers May 5, 2010. An evaluation selection team comprised of representatives from Charlotte-Mecklenburg County, Fairfax County VA schools, Davis, CA United schools, and the city of Los Angeles, CA reviewed and scored the proposals. A contract was awarded by Charlotte-Mecklenburg County and a master agreement with U.S. Communities was signed for a five-year period in September, 2010. Pricing is based on a 24% discount from list for equipment with an additional 10% discounted for volumes over \$75,000.00.

Fleet Management Software Renewal – Sole Source – Event No. 1559. Approval to procure an annual software maintenance agreement from Assetworks in the amount of \$26,389.00. The annual software maintenance agreement will be utilized by Vehicle Maintenance to provide uninterrupted software maintenance coverage for the department's fleet management software.

Body Armor Vests – Sole Source – Event No. 1525. Approval to procure tactical body armor vests from TYR Tactical in the amount of \$62,850.81. The tactical body armor is used to replace the current SWAT tactical ballistic vest. The vest will allow for greater range of motion and movement and are also designed to lift the weight off the team members while on prolonged missions. The vests are used in critical environments and emergency situations. This product will be used by Tactical Force (SWAT Team) Unit.

Traffic Signal Equipment – Annual Contract – Event No. 974. Awarded an annual contract to procure traffic signal equipment from Temple, Inc. (Sections A, B, C, D, E, G, H (Items 104-111), and L (Items 166-172) in the amount of \$309,022.55; Quality Traffic (Section F less Items 68, 86, and 87) in the amount of \$14,304.25; Tagalucci Group, LLC. (Item 68) in the amount of \$695.00; and Mayer Electric Supply Co. (Section I) in the amount of \$21,367.00 for a total of \$345,388.80. The signal equipment will be utilized by Traffic Engineering to replenish stock for routine maintenance and repair of existing signals as well as new signal installations.

Mayfair Park Lease. This is a renewal of the existing agreement for the use of property owned by Mayfair Park, Inc. on Dale Drive as a City park. The 20-year agreement has been negotiated by the Public Facilities, Events and Services Bureau and approved by the City Attorney.

Coffee Bluff Marina Reconstruction (RE0309) – Contract Modification No. 2 – Event No. 674. Approval of Contract Modification No. 2 to Weimar Construction Company, Inc. in the amount of \$297,146.00.

The original contract was for the reconstruction of the Coffee Bluff Marina.

This contract modification includes the purchase of 60 foot sheet piles in lieu of the 36 foot required by the contract. During construction it became apparent the 36 foot sheet piles would slip causing the piles to fall out of alignment. The project engineer determined from soil borings that longer sheets would be necessary to toe in the sheet piles.

The original contract was \$3,941,368.00. The total of all contract modifications to date including this modification is \$321,018.00 making the contract total price \$4,262,386.00. The second low bidder was Pioneer Construction for \$5,089,500.00. A 104-day time extension is requested. Upon a motion by Alderman Thomas, seconded by Alderman Hall and unanimously carried it was approved per the City Manager's recommendation.

Alderman Thomas stated this is a \$321,018.00 modification regarding the installation of 60 foot sheet piles in lieu of the 36 foot that was originally required for the new marina. During construction, it became apparent that the 36 foot sheet piles would slip causing the piles to fall out of alignment. The project engineer determined from soil bearings that longer sheets would be necessary to tow in the sheet piles. In the pre-counsel session, the question "was a 104-day time extension requested" was asked and the City Manager supplied the answer which is yes; this will lengthen the time of the contract to a completion date of February 16, 2014. Alderman Bordeaux has concerns about this. In the pre-meeting, this \$300,000 modification based on a problem that was not noted before, was discussed. He stated that the variance in pilings from 36 feet to 60 feet is a huge mistake, but staff has said this occurs in every profession even with due diligence. He is reluctant, but will vote for it.

The following announcements were made:

Alderman Osborne announced the Grand opening of the Thomas Square Fire Station will be July 22, 2013.

Alderman Johnson announced the passing of Mr. Willie M. Roberson an East Savannah resident, and offered condolences to his wife of 59 years Mrs. Mary T. Roberson, 10 children to include Pastor Charles Roberson, 22 grandchildren and 15 great grandchildren. Mr. Roberson was the President of the East Savannah Community Association for many years, where he led a range of community efforts. Funeral services will be held Tuesday, July 16, 2013 at First African Baptist Church of East Savannah. Alderman Hall thanked Mayor Pro-Tem Johnson for mentioning Deacon Roberson and asked that everyone keep the Roberson family in their prayers.

There being no further business, Mayor Pro-Tem Johnson declared this meeting of Council adjourned.



Dyanne C. Reese, MMC,
Clerk of Council